

OPINION & ORDER  
[Resolving Doc. 1].

-1-

Case No. 1:06-CV-390  
Gwin, J.

magistrate's report without review. Thomas, 474 U.S. at 149. Moreover, having conducted its own review of the parties' briefs on the issue, this Court agrees with the conclusions of the Magistrate Judge.

Accordingly, the Court adopts in whole Magistrate Judge Gallas' findings of fact and conclusions of law and incorporates them fully herein by reference. The Court thus **DENIES** the petition.

IT IS SO ORDERED.

Dated: July 7, 2008

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE